

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

YERSI BENITO RUPAILLA CASTRO,

Petitioner,

v.

G. WHITE, et al.,

Respondents.

CASE NO. 2:24-cv-01476-JNW-BAT

**REPORT AND  
RECOMMENDATION – DENIAL  
OF IFP APPLICATION**

Petitioner filed a 28 U.S.C. § 2241 writ of habeas corpus requesting the Court order his immediate release from Immigration custody or direct Respondents to provide him a bond hearing. Petitioner also filed an application to proceed *in forma pauperis* (IFP).

The Court finds that Petitioner's account summary from the GEO-Tacoma Northwest Detention Center which indicates Petitioner has \$578.93 in his trust account establishes that Petitioner has the financial ability to pay the \$5.00 filing fee required to initiate a federal habeas action. The Court accordingly recommends:

(1) Petitioner's IFP application should be denied.

(2) If the Court adopts this recommendation, Petitioner should be ordered to pay the filing fee within 14 days of adoption or face dismissal of the case.

**OBJECTIONS AND APPEAL**

This Report and Recommendation is not an appealable order. Therefore, petitioner should not file a notice of appeal seeking review in the Court of Appeals for the Ninth Circuit until the assigned District Judge enters a judgment in the case.

Objections, however, may be filed no later than **September 30, 2024**. The Clerk shall note the matter for **October 4, 2024**, as ready for the District Judge's consideration. The failure to timely object may affect the right to appeal.

DATED this 16<sup>th</sup> day of September, 2024.

  
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BRIAN A. TSUCHIDA  
United States Magistrate Judge